

# **Explaining support for vigilantism and punitiveness: assessing the role of perceived procedural fairness, ethnocentrism, authoritarianism and anomia**

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## **Abstract**

*The purpose of this study is to investigate the interrelationships among ethnocentrism, authoritarianism, anomia, the lack of confidence in the criminal justice system, punitiveness and support for vigilantism in a cross-sectional sample of 1,078 Belgian university students enrolled at Ghent University during the academic year 2009-2010. The emphasis lies on confidence in procedural justice or perceived procedural fairness, a specific type of organisational justice perception that reflects how fairly organisational procedures of the criminal justice system are perceived. First, it is assessed to what extent ethnocentrism, authoritarianism and anomia can equally explain individual differences in perceived procedural fairness of the criminal justice system, punitiveness and support for vigilantism. Ethnocentrism, anomia and authoritarianism are from a theoretical point of view hypothesised as exogenous variables that especially (but not exclusively) have indirect effects on public support for vigilantism mainly because of their effects on perceived procedural fairness in the criminal justice system and punitiveness. Finally, it is investigated to what extent punitiveness can be seen as the key mediator of the effects of all exogenous mechanisms (ethnocentrism, authoritarianism, anomia) and perceptions of procedural fairness as an endogenous mechanism on public support for vigilantism. Direct and indirect effects between latent variables are assessed using a structural equation modelling approach (full LISREL models).*

**Key words:** support for vigilantism, punitiveness, procedural fairness/confidence in the criminal justice system, structural equation modelling, the confidence hypothesis

## Introduction and goal of the present study

Trust<sup>1</sup> in modern democracies is said to be declining during the latest decades (Nye, 1997; Catterberg & Moreno, 2005). This theme has intensely been studied by scholars in the field of psychology, sociology and especially the political sciences. The relevance of the study of confidence in institutions of law enforcement is found at the basics of the democratic political system. Without confidence, democracy is at stake, mainly because law enforcement loses its legitimacy in the absence of confidence. According to Huyse, , a scholar in sociology of law, '*legitimacy and clout*' are the pillars upon which every democracy rests. *Legitimacy* means '*the conviction, in large sections of the population, that political institutions and their equipment are worth public confidence*'. Huyse defines *clout* as '*the government's ability to take care of insecurity, work and prosperity*'. A long-term weakening of one of these pillars may cause the fall of a democracy (Huyse, 1996: 7) Without legitimacy, institutions of law enforcement such as the police, judges and the public prosecution risk losing important resources: the willingness of the public to obey them and to consider them legitimate might disappear, together with the motivation of young people to apply for jobs in law enforcement (Tyler, 2006, 2007, 2011). Furthermore, the willingness of the public to comply with criminal law might diminish when institutions of law enforcement are distrusted (Nye, 1997). The central idea behind this study is the idea that if people have confidence in the criminal justice system, they will regard it as a form of legitimate authority; they will then defer to this authority, obey the law and as a result cooperate with the justice system (Jackson et al., 2011; Hough et al., 2010). Institutions build legitimacy through public confidence, and, to earn that, justice officials must treat citizens respectfully and observe their rights. On the other hand, when the criminal justice system loses public confidence, this will breed public cynicism about the rule of law and encourage negative outcomes such as punitiveness and public support for vigilantism.

The present study draws on insights gained from Tyler's procedural justice theory which has been explored primarily in English-speaking cultures and has not yet been sufficiently tested in the varied cultural settings of continental and northern Europe. For that reason, one often heard criticism on the procedural justice model is that it has been most frequently applied in English-speaking countries with common-law legal systems, which are substantially different

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<sup>1</sup> Opinion polls treat concepts like 'trust' and 'confidence' as synonyms, while in the literature a distinction is made between both concepts. Trust in the criminal justice system is defined as someone's expectation that they personally will be treated in a certain way by criminal justice system actors. Confidence reflects more on how the system is perceived to act in general. (Haas, 2010)

from the continental legal systems. A significant question therefore is: can this theoretical framework be applied in other contexts, such as continental Europe, where legal systems and the position of the police within them are often very different? This question is of particular relevance given the ever-increasing pluralism and mobility of the modern world. Besides that, it is of the utmost importance for theories to test their range. The present study does not explicitly want to test the theory that has been associated with the work of Tyler, but aims, from an exploratory view, at studying some determinants and consequences of perceived procedural fairness, a key element of the procedural justice theory. On the basis of various public surveys, Tyler (2003, 2006, 2007, 2011) has shown that public perceptions of the fairness of the justice system in the United States are more significant in shaping its legitimacy than perceptions that the justice system is effective. In this regard, research consistently shows that confidence is a multi-dimensional concept (Hough & Roberts, 2004; Haas, 2010). An important distinction has been made between a sense of justice based on process (confidence in procedural justice) and one based on the outcome (confidence in the effectiveness of the system). Tyler's findings suggest that procedural justice (or procedural fairness) – which implies fair and respectful treatment that 'follows the rules' – is more important to people than obtaining outcomes that they regard either as fair or favourable to themselves. In other words, in encounters with the police it is the quality of treatment received that is more important than the objective outcome. In the present study, ideas from different theoretical frameworks are integrated to gain preliminary insights in the causes and consequences of perceived procedural fairness of the criminal justice system. We draw upon the confidence hypothesis to study the consequences of perceived procedural fairness of the criminal justice system as an important dimension of confidence in the criminal justice system. According to the 'confidence hypothesis', low levels of confidence have been associated with high levels of public support for vigilantism. When the criminal justice system is perceived to fail and has lost its legitimacy, some people will sense a moral obligation to take the law into their own hands so that justice has been done. Vigilantism can thus occur when citizens have low or no confidence in formal authorities. Reasons for supporting vigilantism are often thought to be similar to reasons for consorting vigilantism. In other words, citizens that have little or no confidence in the criminal justice system may support an act of vigilantism (Haas, 2010). It is important to notice that high levels of public support for vigilantism have been associated with high levels of punitiveness (Schadt & DeLisi, 2007). Low levels of confidence in the criminal justice system have previously been associated with general feelings of political powerlessness, ethnocentrism and

authoritarianism, as key elements of a general feeling of dissatisfaction with contemporary society (Elchardus & Smits, 2001; Elchardus & Smits, 2002; Van de Velde & Pauwels, 2010). All these elements have rarely been studied together in one empirical study. The present study therefore contributes to our overall knowledge of causes and consequences of perceived procedural fairness in a sample of 1,078 university students that were enrolled at Ghent university during the academic year of 2009-2010. The present study is restricted to university students at the Bachelor level for two reasons: firstly, university students are a grateful public to study the reliability and validity of constructs in survey research. Secondly, theories that have a middle-range scope, as many theories have (Merton, 1968), should also be applicable to subpopulations. The present study was conducted as a pilot to a larger study that aims at understanding the micro level and meso level determinants of confidence in the criminal justice system and punitiveness.

### **The concept of procedural fairness as an anchoring point for the present study**

Procedural justice deals with the central concept of perceived procedural fairness and is especially concerned with public decision-making processes. It examines the relationship between decision making procedures on the one hand and decision outcomes, the perceived legitimacy of the outcomes and the degree to which they are accepted on the other hand (Joss & Brownlea 1999). It focuses on the fairness and perceived fairness of decision-making processes and the treatment one receives from decision-making authorities. The literature in this area provides evidence that an individual's reaction and response to his/her interactions with regulatory authorities depends on his/her assessment of the fairness of the procedures the relevant authority uses to exercise its power (Lind & Tyler 1988; Murphy 2003). If an individual believes that an authority has attempted to be fair to him/her, has treated him/her with dignity and respect and has dealt with him/her in an impartial manner, feelings of fairness will be enhanced (Murphy 2003, 2005). Tyler has specifically shown that individuals who feel that they have been fairly treated by the authorities, view those authorities as having legitimate power. These authorities therefore are entitled to be obeyed, regardless of the decision outcome arrived at by the authority (Tyler 1997; Tyler & Lind 1992). The procedural justice theory was initially developed from early studies carried out by Thibaut & Walker (1975) and has since been validated based on research into personal experiences with governmental and other types of authorities (for an overview see Lind & Tyler 1988; Tyler &

Lind 1992). The principles of procedural justice have been used in the design of various public policy and decision-making initiatives as well as in employment relations, policing, mediation, policy analysis, public consultation and business settings (Joss & Brownlea 1999). The principles of procedural justice itself are not only useful in the aforementioned domains but they are also of importance to theories of confidence in the criminal justice system, its antecedents and consequences. Nevertheless, the concept of perceived procedural fairness of the criminal justice system can be expanded to other domains, such as the study of punitiveness (Kury & Ferdinand, 2008) and public support for vigilantism (Haas, 2010). In the present study the concept of perceived procedural justice or fairness is defined as the perceived fairness of decision-making procedures within the criminal justice system. The study aims at evaluating some antecedents and consequences of perceived procedural fairness.

### **Anomia, authoritarianism and ethnocentrism as antecedents of a lack of perceived procedural fairness**

Many studies have already referred to the fact that general feelings of dissatisfaction with current society (or 'discontent') are related to a decrease in confidence in miscellaneous institutions. People with high levels of discontent would be a lot more distrusting. In Belgium, the current study of discontent is especially situated in sociology in the form Elchardus gave it (Elchardus & Smits, 2002). He studied discontent from a holistic point of view. According to Elchardus, discontent encloses feelings of anomia, authoritarianism and ethnocentrism but he does not distinguish empirically between these concepts. Likewise, Mc Dill (1961) proposed that anomia, authoritarianism and ethnocentrism are all dimensions of what he called a '*Negative Weltanschauung*' (a negative worldview). Several studies of the factorial structure empirically contradicted Mc Dill's assumption of the Negative Weltanschauung (Struening & Richardson, 1965; Lutterman & Middleton 1970; Knapp 1976). *Anomia* is often described as political powerlessness and has consequently been identified as a predictor of a lack of confidence. This concept may be defined as an individual's feeling that he cannot affect the actions of the government (Srole, 1956; Finifter, 1970). That the "authoritative allocation of values for the society," which is at the heart of the political process, is not subject to his influence. Political decisions, which determine a great extent of the conditions under which the individual lives, may appear to be happening to individuals who feel powerless, independent of, or in spite of their own judgment or wishes. People with an enduring

dissatisfaction with society which cannot be traced to the fundamental causes, may tend to distrust public institutions in general and the criminal justice system in particular. *Ethnocentrism* is a basic attitude expressing the belief that one's own ethnic group or one's own culture is superior to other ethnic groups or cultures, and that one's cultural standards can be applied in a universal manner. Ethnocentrism is closely related to other attitudinal indicators for racism, xenophobia, prejudice, mental closure, and more generally, an authoritarian personality structure. Ethnocentrism is widely used in research on social and political attitudes because it proves to be a very powerful and easily identifiable attitude that can be measured in a valid manner with a limited number of variables (Billiet, Eisinga & Scheepers, 1996). Ethnocentrism is also clearly associated with distrust and with authoritarian and right-wing ideologies, and is the single most powerful determinant of extreme-right voting behaviour. While the relationship between ethnocentrism and levels of confidence is not questioned in the empirical literature, the causal relationship is. Some authors, such as Meuleman and Billiet (2006) have argued that levels of confidence can explain individuals differences of ethnocentrism. *Authoritarianism* is also strongly related to confidence. The construct authoritarianism reflects an individual preference for submission under authorities, a strict orientation along the perceived conventions of the ingroup and aggressive stances towards outgroups. In '*The Authoritarian Personality*' (1950), Adorno conceptualised authoritarianism as a relatively stable intrapersonal characteristic which results from enduring intrapersonal conflicts rooted in childhood experiences of harsh education. His interpretation of the concept and operationalisation became the subject of many criticisms. In summary, Altemeyer (1988, 1996), conceptualised authoritarianism as a value syndrome that comprises three distinct elements: (1) conventionalism, which is a high level of compliance with social norms; (2) an emphasis on hierarchy and submission to authority; and (3) a "law and order" mentality which legitimises anger and aggression against those who deviate from the social norms. He neglects the idea of authoritarianism as an intrapersonal characteristic. He believes that authoritarianism consists of a set of coherent attitudes which is learned from peer groups and similar socialising agents. He constructed a right-wing scale, which is an improvement of Adorno's F-scale, to measure authoritarianism. While anomia and ethnocentrism are negatively related to confidence, authoritarianism has been found to be positively related to governmental trust (Petersen, Doty & Winter, 1993). This may be inherent to the authoritarian personality which is by definition uncritical towards leadership.

Some scholars discuss the relationships between the three exogenous variables that play a central role in the present study. From the social identity theory it is argued that anomia and authoritarianism are causally prior to ethnocentrism (Tajfel & Turner, 1979; Scheepers, Felling & Peters, 1992). The social identity theory suggests that an individual is in a permanent need to assume a positive identity for oneself. This is done by identifying oneself with people having perceived positive characteristics, the in-group, and contra-identifying with people having perceived negative characteristics, the out-group. The link between anomia, authoritarianism and ethnocentrism can be explained as follows: “...it may be argued that anomic people who are subject to powerlessness, meaninglessness and normlessness and who feel socially isolated, therefore have a strong urge to re-establish a positive identity by means of social identification, possibly accompanied by social contra-identification. And it may be argued that authoritarian people, who are characterised by a weak ego counter-balanced by a strong super-ego, therefore have a strong need to fortify their ego by identifying socially with their own group and simultaneously contra-identifying with outgroups.” (Scheepers, Felling & Peters, 1992: 46). Interpreting this, the conclusion can be made that the more an individual has anomic and/or authoritarian feelings, the more he has the urge to emphasize the identification with the in-group and the contra-identification with the out-group, which is equal to ethnocentrism (Sumner, 1906).

### **Support for vigilantism and punitiveness as consequences of a lack of perceived procedural fairness?**

Tyler’s procedural fairness theory actually focuses in-depth on the positive outcomes of procedural fairness. Procedural fairness increases and as a result individuals are more likely to comply with the law. Compliance or law abiding behaviour is a positive outcome of procedural fairness. In the present study we argue that procedural fairness may be related to other aspects, which we will call negative outcomes. A lack of perceived procedural fairness may be related to a lack of confidence and therefore become a major source of discontent. As a consequence, people may become more punitive (i.e. preferring retribution justice) or even begin to support vigilantism. Indeed, in the literature, support for vigilantism is often seen as a consequence of a lack of confidence in the criminal justice system. For that reason, public support for vigilantism suggests that the legitimacy of the criminal justice system is at stake. Following Haas (2010), this theoretical perspective is referred to as the confidence

hypothesis. According to the '*confidence hypothesis*', support for vigilantism is caused by a lack of confidence in the criminal justice system. Haas argued that it intuitively makes sense to relate public support to vigilantism to perceptions of law enforcement, because without a disapproval of the criminal justice system, it would seem very odd to be willing to take the law into one's own hands or to support such an action. Citizens are thus assumed to have a general feeling of dissatisfaction with the criminal justice system (Haas, 2010). In the present study we adopt the definition of vigilantism given by Haas (2010: 31): "*Vigilantism is defined as a planned criminal act carried out by one or more private citizens in response to (the perceived threat of) a crime committed by one or more citizens, targeting the (alleged) perpetrators of that crime*". Because Vigilantism is described as a criminal act, self-defence and citizen's arrest which are related but quite distinct phenomena that are included in the law, are excluded on purpose. The relationship between support for vigilantism and punitiveness (measured as attitudes favourable to the death penalty, Schadt & DeLisi, 2007) has been clearly demonstrated before, while the causal path between both support for vigilantism and punitiveness may be discussed: Schadt and deLisi (2007) consider support for vigilantism as a cause of punitiveness (as measured by agreeing with capital punishment) but the argument may go in the other direction as well. Punitiveness (as defined by the propensity to choose to consider the criminal justice system as too mild) may be considered causally prior to public support for vigilantism.

In their study of the social sources of punitiveness, Unnever and Cullen (2010) describe *three general competing models* of Americans' punitiveness: *the escalating crime-distrust model*, which focuses on (perceived) disorder and crime on the one hand and general distrust in the criminal justice system on the other hand. This thesis is echoed in the earlier works of noted scholars such as Garland (2001) and Zimring (1973). People are most willing to support 'getting tough on crime' because they perceive that crime is increasing and they are concerned that rising crime rates will disrupt their way of life and moreover because they have lost faith in the government, especially the courts, which has to protect them from the injurious effects of crime. This populist belief, as Garland observes (2001: 171), has caused the criminal justice system to suffer with a "*declining autonomy*." This decline is a direct result of the perception that the courts have failed - that their "liberal excesses" have contributed to, rather than diminished, the volume of crime. The escalating crime-distrust model does not argue that personal victimisation and fear matter in the explanation of punitiveness. Researchers generally have found no relationship between victimisation or fear



of crime and punitiveness in the public (Cullen et al. 1985; Stinchcombe et al. 1980; Taylor, Scheppelle, and Stinchcombe 1979). *The moral decline model* explains punitiveness in the public opinion as a consequence of the perception that all morality is vanishing. Tyler and Boeckmann (1997) have argued that support for harsh crime-control policies is most likely to reside among those who feel uncertain about their place in the world. This concern is associated with the feeling that core institutions within society are in decline; society, in short, is in a state of moral decay. This model partially reflects the basic idea of the anomia theory or the model of political powerlessness or alienation that is already discussed in the previous paragraph. The third model described by Unnever and Cullen is the *racial-animus model*. This theoretical model contends that a salient factor in predicting public opinion about crime-control policies is racial and ethnic intolerance (Unnever, Cullen, and Fisher, 2005; Unnever, Cullen, and Jonson, 2008). Scholars have found that one of the most salient predictors of punitiveness among white people is racism (e.g. Unnever, Cullen, and Jonson, 2008). In summary, the racial-animus model proposes that punitiveness is fuelled by negative feelings and views of minority group members as well as authoritarianism. It suggests that race and racism are thus integral to any understanding of why Americans endorse get-tough policies. Peterson, Doty and Winter (1993) have shown that authoritarianism is related to harsh solutions towards different social issues, including punitiveness towards criminals. Other scholars have also empirically demonstrated that authoritarianism shapes public support for national policies. Stack (2003), and Tyler and Boeckmann (1997) found that authoritarianism was a significant predictor of support for punitive measures, in particular the death penalty and the three-strikes initiative, after controlling for demographic background variables. The study of Unnever and Cullen (2010) reveals that punitive sentiments can emerge from diverse sources. They have found support for Simon's (2007) and Garland's (2005) contention that a social force that compels people to embrace punitive attitudes, is a sense that crime is getting out of control. Perceived crime and distrust in the Supreme Court were no longer significantly related to measures of punitiveness when control was held for feelings of moral decline and negative feelings towards immigrants. The study of Unnever and Cullen (2010) identifies mechanisms that are not only related to punitiveness; but which resemble classic determinants of confidence in the criminal justice system: anomia, authoritarianism and ethnocentrism.

## **Hypotheses addressed in the present study**

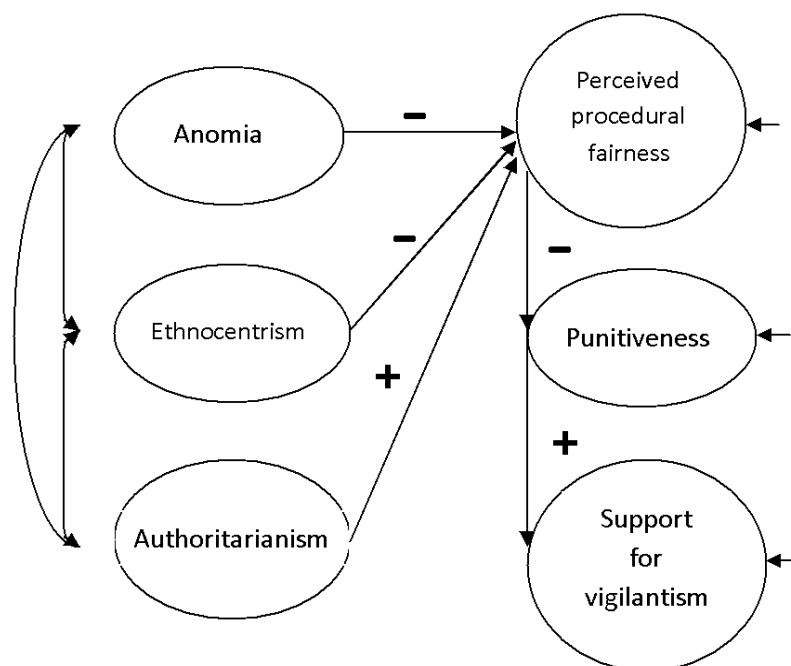
In the present study we actually integrate two theoretical frameworks: (1) a framework that studies the independent effects of ethnocentrism, authoritarianism and anomia on confidence in the criminal justice system, here on perceived procedural fairness of the criminal justice system; and (2) a framework that studies consequences of perceived procedural fairness of the criminal justice system, namely the confidence hypothesis, with regard to punitiveness and public support for vigilantism. The present study is thus concerned with evaluating anomia, ethnocentrism and authoritarianism as antecedents (precursors) of perceived procedural fairness and with evaluating the role of punitiveness and public support for vigilantism as effects (consequences) of procedural fairness of the criminal justice system. To gain insight into this general research question, several structural equation models were run.

The key hypotheses of the present study are:

- (1) There is a positive effect of anomia, ethnocentrism and authoritarianism on punitiveness and public support for vigilantism, but we believe that this effect becomes indirect when perceived procedural fairness of the criminal justice system is taken into account.
- (2) Punitiveness mediates the hypothesised effect of perceived procedural justice of the criminal justice system on public support for vigilantism.

These two hypotheses will be labelled as the ‘indirect effect’ thesis, in which perceived procedural fairness is seen as a main catalyst for the effects of its antecedents on punitiveness and public support for vigilantism, while punitiveness itself is seen as a catalyst for the effects of perceived procedural fairness. The conceptual diagram that visualises our hypothesis is presented below.

**Figure 1 : Conceptual Diagram of the theoretical model of public support for vigilantism**



The theoretical model above will be compared to the best fitting model and conclusions will be drawn from that comparison. Attention will be paid to both direct and total effects of all exogenous and endogenous variables on perceived procedural fairness, punitiveness and public support for vigilantism. But first, we shortly describe the technique of analysis.

## Methods and techniques of analysis

### *A latent variable approach<sup>2</sup>*

In order to use all the information contained in a set of variables, we propose to follow a latent variable approach in which we suppose that the latent variable (i.e. the theoretical constructs) induce the observed answers to the questionnaires. In its simplest form, latent variables models are well-known under the factor analysis model. A latent variable is a variable that cannot be observed directly, such as anomia, authoritarianism, ethnocentrism,... A latent variable assessment takes the observable data and combines it to make assumptions about the unobservable, latent phenomenon. The latent variable measured by this method consists of the

<sup>2</sup> This method is more useful to test hypotheses because of the ability 1) to distinguish between direct and indirect effects 2) to gain insights in the quality of the measurement model. It has repeatedly been used by criminologists (e.g. Jackson and Bradford (2009), Jackson et al. (2011)).

'true' variance with both random and systematic errors. This type of technique has been used extensively in the areas of psychological and education testing, political sciences, sociology and criminology. A latent variable model is thus a statistical model that relates a set of variables (so-called manifest variables) to a set of latent variables. It is assumed that the responses on the indicators or manifest variables are the result of an individual's position on the latent variable(s), and that the manifest variables have nothing in common after controlling for the latent variables.

### *Direct and indirect effects*

Path Analysis is the statistical technique that was initially used to examine causal relationships between two or more variables. It is based upon a linear equation system and was first developed by Sewall Wright in the 1930s for use in phylogenetic studies. Path Analysis was adopted by the social sciences in the 1960s. It allows us to test theoretical propositions about cause and effect without manipulating variables. Nevertheless, the "causal" in "causal modelling" refers to an assumption of the model rather than a property of the output or consequence of the technique. That is, researchers assume some variables are causally related, and test propositions about them using statistical techniques. If the propositions are supported, it does not prove that the causal assumptions are correct. The directions of arrows in a statistical model represent the researcher's hypotheses of causality within a system. The researcher's choice of variables and pathways represented will limit the statistical model's ability to recreate the sample covariance and variance patterns that have been observed in the respondents. In spite of this, this approach remains useful in understanding statistical relations between variables. While causality never can be proven, it should be acknowledged that causality requires correlation and statistical effects and thus remain a useful way of analysing data. Exogenous variables in a path model are those with no explicit causes. If exogenous variables are correlated, it is indicated by a double-headed arrow connecting them. Endogenous variables are those which do have incoming arrows. Endogenous variables include intervening causal variables and dependents. Intervening endogenous variables have both incoming and outgoing causal arrows in the path diagram. The dependent variable(s) only have incoming arrows. A path coefficient is a standardised regression coefficient (beta) showing the direct effect of an independent variable on a dependent variable in the path model. In other words, when the model has two or more causal variables, path coefficients are

partial regression coefficients which measure the extent of effect of one variable on another in the path model controlling for other prior variables, using standardised data or a correlation matrix as input. The latent variable approach makes it also possible to assess direct and indirect effects between all latent constructs simultaneously. We ran several models guided by the theoretical framework stipulated above and compared the results of the hypothesised statistical model with the best fitting model according to the modification indices. For this reason, one could argue that our study is partially deductive and partially inductive. In order to evaluate the fit of the models, the Root Mean Square of Approximation (RMSEA) is preferred over the Chi-square value as a measure of overall fit. Chi-square tends to be very sensitive to the size of the sample, resulting in accumulated high values of the statistic, i.e. the ‘uncritical’ rejection of models, in the case of large samples. RMSEA on the other hand is a measure of ‘close fit’, indicating that it takes the error of approximation in the population into account as well as the precision of the measure itself (Jöreskog & Sörbom, 1996). Models with an RMSEA < .05 are considered acceptable (Billiet & McClendon, 2000). The full Lisrel model is used in the present study. This means that the measurement model is combined with the structural model. The latent variable approach (or structural equation modelling) that is applied here is thus a combination of path analysis and factor analysis. Structural Equation Models (SEM) are divided into two parts: a measurement model and a structural model. The measurement model deals with the relationship between measured variables and latent variables. The structural model deals with the relationship between latent variables only. One of the advantages to SEM is that latent variables are free of random errors. This is because the errors have been estimated and removed, leaving only a common variance. If the covariance/variance matrix estimated by the model does not adequately reproduce the sample covariance/variance matrix, hypotheses can be adjusted and the model can be retested. To adjust a model, new pathways are added or original ones are removed. In other words, parameters are changed from fixed to free or from free to fixed.

### **Measurement of constructs<sup>3</sup>**

The items below were measured on a five point scale using agree-disagree answering categories (completely disagree/disagree/nor disagree nor agree/ agree/ completely agree). *Perceived procedural justice of the criminal justice system* was measured by the following

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<sup>3</sup> A clear overview of the items is given in the appendix.

items: “The Belgian Criminal Justice system is honest” (V8\_8), “The Criminal Justice System is trustworthy” (V8\_11), “Citizens can count on it that their case is honestly dealt within the Belgian Criminal Justice System” (V8\_12) ( $\alpha^4=0.82$ )<sup>5</sup>. High scores refer to high scores of perceived procedural justice. *Anomia* (or perceived political powerlessness) was measured by asking respondents’ opinion on the following items: “Voting does not matter, political parties do whatever they want” (V11\_1), “During the elections, one political party promises more than another, but in the end nothing really happens” (V11\_2), “Political parties are only interested in my vote, not my opinion” (V11\_3) ( $\alpha=0.76$ ). High scores refer to high levels of anomia. *Ethnocentrism* was measured as follows: “Immigrants come to Belgium to take advantage of the social welfare system” (V12\_2), “Muslims are a threat to our culture and traditions” (V12\_3), “The presence of other cultures enriches our society”(V12\_4) ( $\alpha=0.79$ ). High scores refer to high levels of ethnocentrism. *Authoritarianism* was measured by three items: “Obedience and respect for authority are the most important virtues to be learnt by children” (V13\_1), “During elections it is allowed to question things and to doubt, but when someone is elected and becomes the leader of our country, then we owe the person support and loyalty” (V13\_4), “Good leaders that respect and support their people, must be strict, tough and demanding” (V13\_11) ( $\alpha=0.51$ ). High scores refer to high levels of authoritarianism. We are aware of the fact that this measures only one dimension of authoritarianism, namely the obedience to a great leader. *Punitiveness* was measured by three items: “The criminal justice system in Belgium is too mild” (V14\_1), “Early releases from prison because of good behaviour should be abolished” (V14\_3), “Conditions in the Belgian prisons are too luxurious” (V14\_4) ( $\alpha=0.71$ ). High scores refer to high scores on punitiveness. *Support for vigilantism* was measured on a five-point scale using following answering categories: approve completely, approve, nor approve nor disapprove, disapprove, disapprove completely. The construct was measured by the following items: “Someone catches a bicycle thief and harasses him” (V18\_1), “A shop’s employee stops a thief violently” (V18\_3), “Someone catches a burglar in his house and hits him in a way that he falls down” (V18\_4) ( $\alpha=0.76$ ). High scores refer to high levels of public support for vigilantism. The measurement model of the models that were run indicate that all indicators sufficiently load on the latent

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<sup>4</sup>  $\alpha$  = cronbach’s alpha. Cronbach’s alpha is used to test the reliability or internal consistency of a measurement instrument. Internal consistency estimates reliability by grouping questions that measure the same concept in a questionnaire. The closer the Cronbach’s alpha value is to one, the higher the reliability estimate of the instrument.

<sup>5</sup> These items are carefully selected after a test of the reliability and construct validity of actor-based measures of confidence in the criminal justice system (see elsewhere in this volume).

variables that they are supposed to measure, i.e. all factor loadings are higher than 0.40, the general model fit indices suggests an appropriate fit.

## **Data**

During the academic year of 2009-2010 a questionnaire measuring perceived procedural fairness of the criminal justice system and its correlates, such as anomia, authoritarianism, ethnocentrism, punitiveness, support for vigilantism was administered to 1,078 university students. This was done in the framework of a compulsory course in quantitative methods taught in the second year of the bachelor degree in Criminology at Ghent University. Students were asked to select other students to fill in the questionnaire. The academic staff provided the students with clear instructions on how to collect the data (self-administered questionnaires). The students were told that the questionnaire was part of a pre-test of a larger survey (a PhD study in the criminological sciences) and they were advised by the academic assistant that was responsible for the course. The main objective of the study was to test the reliability and correlational validity of the scales used. It was especially instructed that every student should realise seven interviews and it was stressed that every student should contact a wide variety of students, i.e. students that were enrolled at different faculties. It was stressed that homogeneous samples were to be avoided. For that reason students were allowed to only interview one other student following courses in the criminological sciences. We guaranteed full confidentiality. Students could fill in the questionnaire and deliver it to the students after completion. We are aware of the fact that there may be a selection bias at the interviewer level but we were able to monitor that through the entire course and afterwards a multilevel analysis was performed to estimate the interviewer variance with regard to the scales that were constructed. These results suggest that the interviewer variance was definitely ignorable, based on the study of the intra-class coefficients per concept.<sup>6</sup> The aim in this study is not to generalise prevalences, this is not possible by using a convenience sample including a significant minority of students. As an approach to test scale reliability, with enough variability in the concepts, this sample is sufficient. 22.3% of the respondents were students of criminology at the faculty of law. 13.3% of the respondents were studying at the faculty of psychology and 10.6% of the respondents were enrolled at the faculty of Arts and Humanities (including philosophy, language and literature sciences). The other 53,8 % of the respondents

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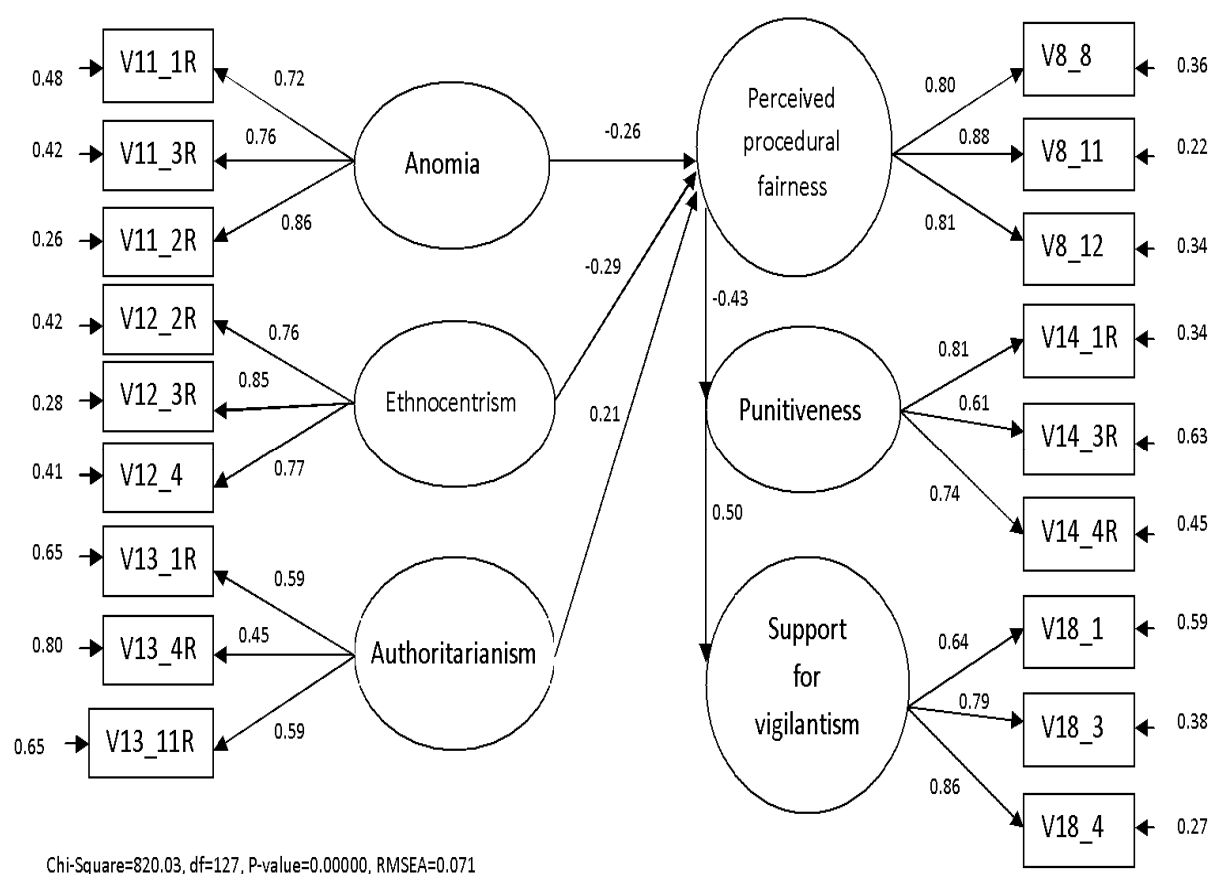
<sup>6</sup> The interviewer variances were not significantly different from zero.

studied law, science, social and political sciences, medical science, bio-engineering, pharmaceutical sciences, engineering, economic sciences or veterinary.<sup>7</sup> 43.6% of the respondents were male, 56.4% of the respondents were female. On average, students were 20.2 years old (std= 1.77).

## Results

The results of the statistical test of the ‘indirect effect’ thesis are presented in table 1 and are visualised in figure 2.

**Figure 2: Full Lisrel path diagram of the ‘indirect effect’ thesis<sup>8</sup>**



<sup>7</sup> For a clear overview, see appendix

<sup>8</sup> The outer parts in this figure are error terms

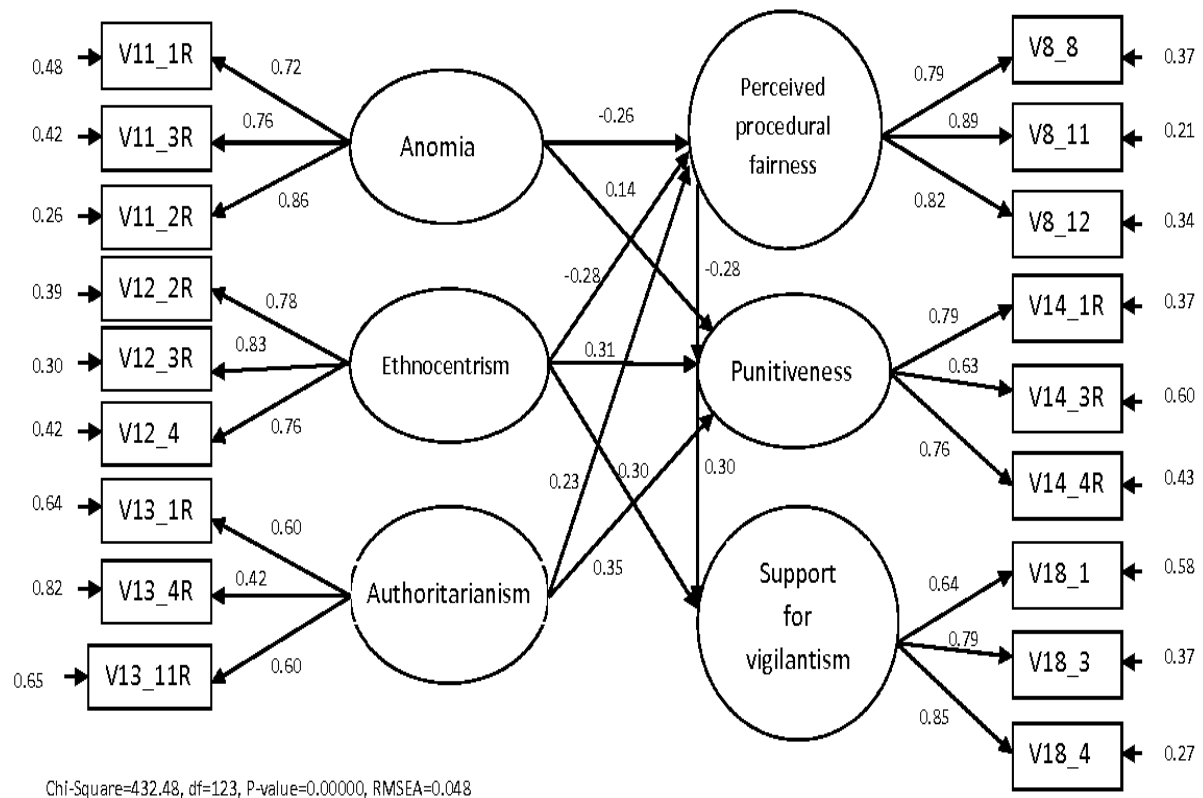


**Table 1 Structural Equation Model of the ‘indirect effect thesis’**

Perc.Proc.Fairness=	-0.26*Anomia	-0.29*Ethnocentrism	+0.21*Authoritarianism	Errorvar.=0.83	R <sup>2</sup> =0.17
(0.040)	(0.056)	(0.058)	(0.058)		
6.65	5.23	-3.66	14.13		
Punitiveness=	-0.43*Perc.Proc.Fairness		Errorvar.=0.82	R <sup>2</sup> =0.18	
(0.036)	(0.062)				
11.75	13.23				
Support for vigilantism=	0.50*Punitiveness		Errorvar.=0.75	R <sup>2</sup> =0.25	
(0.042)	(0.072)				
11.93	10.46				
Chi-Square=820.03	df=127	P-value=0.00000	RMSEA=0.071	AGFI: 0.89	

Table 1 presents the standardised regression coefficients of the latent variables on each outcome variable in the structural equation model. Standard errors and t-values are presented under each coefficient. From the table presented above it can be seen that perceived procedural fairness is negatively related to anomia and ethnocentrism, while authoritarianism has a positive effect on procedural fairness. These three variables explain 17 per cent of the variance in perceived procedural fairness. Perceived procedural fairness has a strong and negative direct effect on punitiveness. This variable explains 18 per cent of the variance in punitiveness. This explained variance is quite high for one variable. Finally, public support for vigilantism is strongly and positively affected by punitiveness. This variable alone explains 25 per cent of the variance in public support for vigilantism. The goodness of fit parameters suggest that the model does not fit sufficiently (RMSEA=0.071 AGFI: 0.89). This means that not all effects of anomia, ethnocentrism and authoritarianism on public support for vigilantism are indirect and occur through perceived procedural fairness.

**Figure 3: Full Lisrel path diagram of the best fitting model<sup>9</sup>**



**Table 2 Structural Equation Model of the Best Fitting Model**

Perc.Proc.Fairness=	-0.26*Anomia	-0.28*Ethnocentrism	+0.23*Authoritarianism	Errorvar.=0.84	R <sup>2</sup> =0.16
(0.040)	(0.057)	(0.058)	(0.059)		
6.40	4.90	-3.91	14.17		
Punitiv.=	-0.28*PPFairness	+0.14*Anomia	+0.31*Ethnoc.	+0.35*Author.	Errorvar.=0.44 R <sup>2</sup> =0.56
(0.035)	(0.036)	(0.053)	(0.054)	(0.043)	
8.01	3.80	5.82	6.35	10.38	
Support for vigilantism=	0.30*Punitiveness	+0.30*Ethnocentrism		Errorvar.=0.70	R <sup>2</sup> =0.30
(0.050)	(0.049)	(0.066)			
6.00	6.20	10.54			
Chi-Square=432.48	df=123	P-value=0.00000	RMSEA=0.048	AGFI: 0.94	

<sup>9</sup> The outer parts in this figure are error terms

The best fitting model is partly different from the hypothesised model and reveals some differences that are interesting to feed the debate on the way punitiveness and public support for vigilantism have to be statistically explained. Anomia, ethnocentrism and authoritarianism have independent and direct effects on perceived procedural fairness. That part of the model is not different from the indirect effect model. Contrary to our hypotheses, there seems to be a direct effect from anomia, ethnocentrism and authoritarianism on punitiveness. This means that perceived procedural fairness of the criminal justice system does not account for all differences in punitiveness. Perceived procedural justice remains an important, but not an exclusive mechanism by which individuals experience punitiveness. Interestingly, 56 per cent of the variance in punitiveness can be explained by the variables included in the model. Three latent variables explain a bit more than half of the variance in a latent variable. That is a very high coefficient of determination. Finally, while anomia and authoritarianism are indirectly effecting public support for vigilantism, it can be seen that ethnocentrism still does have a strong direct effect on public support for vigilantism that cannot be accounted for by the other variables. This model has a highly acceptable fit and fits the data well. Let us now turn to the study of the total effects of all exogenous variables on all endogenous variables, and of all endogenous variables on the outcome variables. The direct effects have been presented in table 2.

**Table 3 Total effects of exogenous on endogenous variables**

<i>Endogenous variables</i>	<b>Anomia</b>	<b>Ethnocentrism</b>	<b>Authoritarianism</b>
<b><i>Per.Proc.Fairness</i></b>	-0.26	-0.28	0.23
<b><i>Punitiveness</i></b>	0.21	0.39	0.28
<b><i>Sup. for vigilantism</i></b>	.06	0.42	0.09

All effects are statistically significant at  $p < 0.01$  level

From the analyses presented in Table 3 it can be seen that ethnocentrism has the strongest total effect on perceived procedural fairness, punitiveness and public support for vigilantism. Authoritarianism and anomia have important total effects on perceived procedural fairness and punitiveness, but not on public support for vigilantism.

**Table 4 Total effects of endogenous on endogenous variables**

<i>Endogenous variables</i>	<b>Perceived Procedural Fairness</b>	<b>Punitiveness</b>	<b>Support for vigilantism</b>
<b><i>Perc.Proc.Fairness</i></b>	--	--	--
<b><i>Punitiveness</i></b>	<b>-0.28</b>	--	<b>0.28</b>
<b><i>Sup. for vigilantism</i></b>	<b>-0.09</b>	<b>0.30</b>	--

All effects are statistically significant at  $p < 0.01$  level (-- = logically impossible)

## Discussion

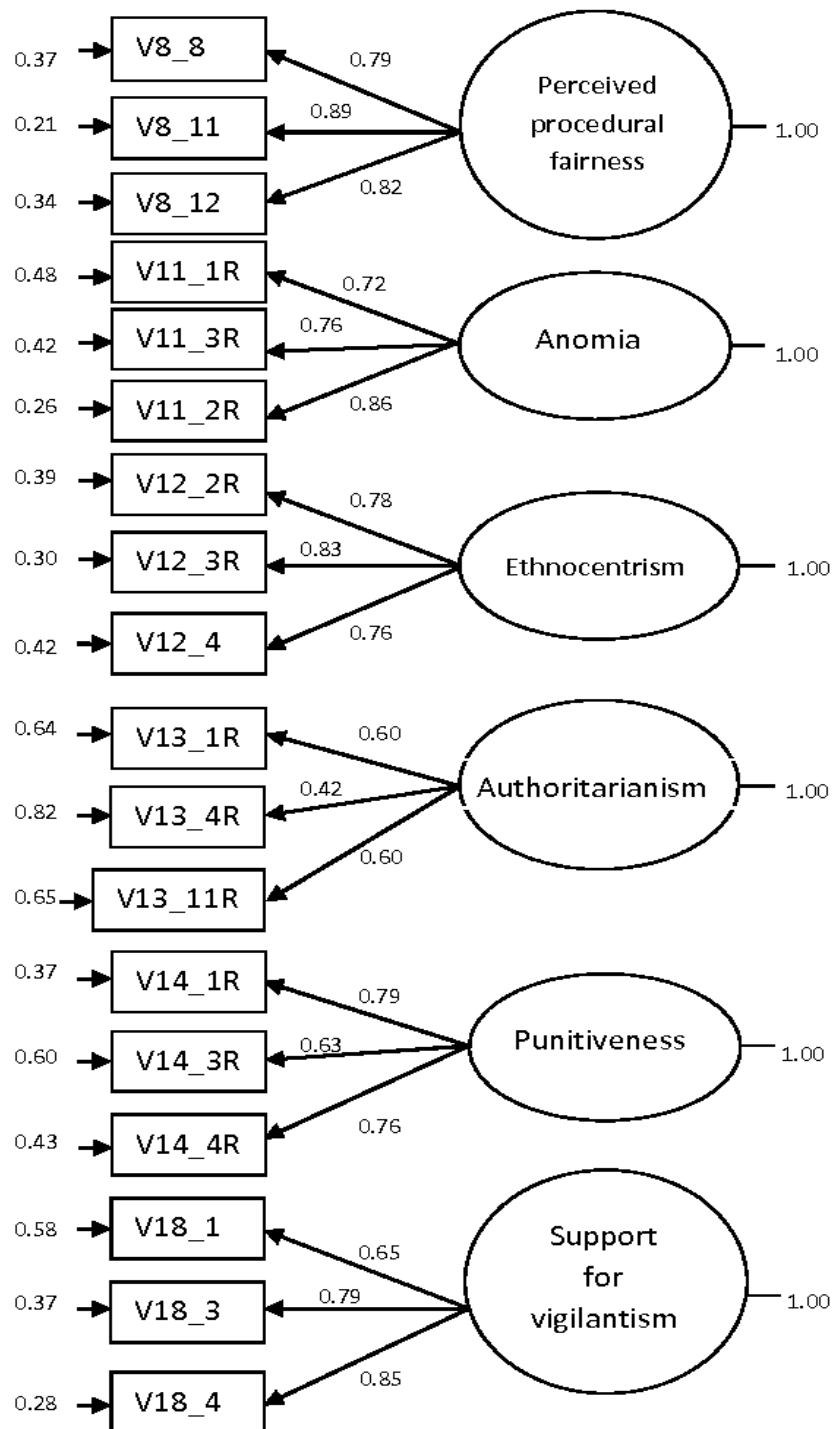
The findings of the present study confirm that it is important to take anomia, ethnocentrism and authoritarianism into account as antecedents of perceived procedural fairness and additionally demonstrate the importance of establishing perceived procedural fairness. Remarkably, ethnocentrism seems to have the strongest total effect on perceived procedural fairness. In addition to Tyler's work (2006), we state that the concept of perceived procedural fairness is not only an important way in establishing compliance, which is seen as a positive outcome of perceived procedural fairness, but it is also very important to explain punitive attitudes, which can be seen as a negative outcome of the absence of procedural fairness. In their study, Unnever and Cullen (2010) have not found a significant relationship between distrust in the Supreme Court, the perception that crime is escalating and punitive attitudes when control was held for feelings of moral decline and negative feelings towards immigrants. Contrary to Unnever and Cullen, the findings from the present study suggest that low levels of perceived procedural fairness foster punitive attitudes, but not exclusively. Moreover, there seems to be a direct effect of anomia, ethnocentrism and authoritarianism. Ultimately, feelings of punitiveness may set the stage for support for vigilantism (Schadt & DeLisi, 2007). Remarkably, only ethnocentrism seems to have a strong direct effect on public support for vigilantism that cannot be accounted for by the other variables. These consequences of perceived lack of procedural fairness have rarely been studied in the light of Tyler's compliance theory. We do have to mention that if Tyler's theory is true, the direct effect of confidence on punitiveness would have been mediated through legitimacy. However, legitimacy was not measured in the present study, which is a limitation of the models that we have tested. Nevertheless, the present study has some more important limitations that should be taken into account. First of all, the study is cross-sectional and examined the strength of the statistical association between ethnocentrism, authoritarianism, anomia, perceived procedural

fairness, punitiveness and support for vigilantism. For that reason we warn against causal interpretations. Second, the empirical model has causal arrows in one direction and does not take feedback loops into account. It is possible that support for vigilantism in itself further affects punitiveness and perceived procedural fairness of the criminal justice system, but such a design would require instrumental variables to test feedback loops and such measures were not available in the present study. Clearly, for investigating the dynamic relations of authoritarianism, anomia, ethnocentrism and perceived procedural fairness, panel data are much more desirable. Specifically there are three reasons why panel data appear particularly adequate for such an investigation (Finkel, 1995). First, regarding the construct specifications of authoritarianism and anomia, panel data offer the opportunity to test the measurement invariance of the measurement model underlying these constructs by comparing individual responses to the indicator variables across different measurement points (Pleysier et al., 2005). Second, panel data are particularly appropriate for testing causal assumptions such as for the relations of authoritarianism and anomia as the observations are collected over two or more points in time. Third, panel data offer informative explorative insights on the dynamics of the theoretical constructs over time using different methods of longitudinal data analysis. We also have to stress that the conceptualisation of punitiveness and support for vigilantism varies considerably between surveys and can be discussed. In their study, Schadt & DeLisi (2007) are aware that the way punitive attitudes and support for vigilantism are measured, is one of the methodological shortcomings. To measure punitiveness, they only took one's opinion about the death penalty into account. Opinions about capital punishment are often internally inconsistent. Proponents of capital punishment will easily change their opinion when the issue affects them personally. They then will choose an alternative penalty, such as life imprisonment without the possibility of parole (Schadt & DeLisi, 2007). In our questionnaire, we therefore measured punitive attitudes in general, independent of a situational context. We do have to mention that two out of three items in our study regard Belgian prisons, this might have affected the findings. In the future, researchers should incorporate items that are related to issues other than prison (e.g. more specifically about the leniency of sentencing). In addition, Schadt & DeLisi measured vigilant beliefs by asking people what they would do in certain situations (e.g. how much do you agree with the following statements: 'If anyone hurt my family, I would be tempted to kill the person responsible', 'If anyone ever victimised my family I would hurt the person responsible'). Again, when the issue affects someone personally, he or she will have another opinion than when it doesn't. In her study, Haas (2010) makes a distinction between support for

vigilantism in general and support for specific vigilantism cases in which the context is clear. For this reason she made some vignettes, or case descriptions with two sorts of criminal acts: a precipitating event and a subsequent act of vigilantism. This method allows systematic variation of specific characteristics within a 'story'. The 'situation hypothesis' namely proposes that characteristics of the vigilantism situation affect how people view a case of vigilantism. In our study, we have measured public support for vigilantism as an attitude by asking citizens on a five-point scale how much they (dis)approve a specific vigilantism act, without mentioning the context or without getting personal. This just because of the fact that situational characteristics seem to have an influence on public support for vigilantism. In order to test the confidence hypothesis, it is more acceptable to measure support for vigilantism in general, otherwise our measures would be very sensitive for situational variability. The items that have been used in the present study can be discussed too, this because some of them may sound like legitimate forms of force such as citizen's arrest or self-defence rather than illegitimate force (vigilantism). We suggest that future studies have to be clear so that there can be no discussion to what kind of (il)legitimate force the items refer to. We believe that future studies would benefit from a more detailed measure of punitiveness on the one hand and support for vigilantism on the other. Researchers have to keep in mind that they have to treat them as multifaceted concepts. It also would be interesting to include outcome fairness in future studies so that its importance can be compared to the importance of procedural fairness, especially in studies in continental Europe because this theory has not yet been sufficiently tested there. This would allow an interesting comparison to the United States and other English-speaking countries.

## Appendix

**Figure 4: Measurement model of all latent variables**



Chi-Square=431.78, df=120, P-value=0.00000, RMSEA=0.049

**Table 5: Operationalisation of the constructs**

<b>Perceived procedural justice of the criminal justice system</b> <i>How much do you agree with the following statements? Answering categories: completely disagree/disagree/nor disagree, nor agree/agree/completely agree</i>		<b>Cronbach's Alpha</b>
<b>V8_8</b>	The Belgian criminal justice system is honest	<b>0.82</b>
<b>V8_11</b>	The Belgian criminal justice system is trustworthy	
<b>V8_12</b>	Citizens can count on it that their case is honestly dealt within the Belgian criminal justice system	
<b>Anomia</b> <i>How much do you agree with the following statements? Answering categories: completely disagree/disagree/nor disagree, nor agree/agree/completely agree</i>		
<b>V11_1</b>	Voting does not matter, political parties do whatever they want	<b>0.76</b>
<b>V11_2</b>	During the elections, one political party promises more than another, but in the end nothing really happens	
<b>V11_3</b>	Political parties are only interested in my vote, not my opinion	
<b>Ethnocentrism</b> <i>How much do you agree with the following statements? Answering categories: completely disagree/disagree/nor disagree, nor agree/agree/completely agree</i>		
<b>V12_2</b>	Immigrants come to Belgium to take advantage of the social welfare system	<b>0.79</b>
<b>V12_3</b>	Muslims are a threat to our culture and traditions	
<b>V12_4</b>	The presence of other cultures enriches our society	
<b>Authoritarianism</b> <i>How much do you agree with the following statements? Answering categories: completely disagree/disagree/nor disagree, nor agree/agree/completely agree</i>		
<b>V13_1</b>	Obedience and respect for authority are the most important virtues to be learnt by children	<b>0.51</b>
<b>V13_4</b>	During elections it is allowed to question things and to doubt, but when someone is elected and becomes the leader of our country, then we owe the person support and loyalty	
<b>V13_11</b>	Good leaders that respect and support their people must be strict, though and demanding	



<b>Punitiveness</b> <i>How much do you agree with the following statements? Answering categories: completely disagree/disagree/nor disagree, nor agree/agree/completely agree</i>		
<b>V14_1</b>	The criminal justice system in Belgium is too mild	<b>0.71</b>
<b>V14_3</b>	Early releases from prison because of good behaviour should be abolished	
<b>V14_4</b>	Conditions in the Belgian prisons are too luxurious	
<b>Support for vigilantism</b> <i>How much do you approve the following statements? Answering categories: disapprove completely/disapprove/nor approve, nor disapprove/approve/approve completely</i>		
<b>V18_1</b>	Someone catches a bicycle thief and harasses him	<b>0.76</b>
<b>V18_3</b>	A shop's employee stops a thief violently	
<b>V18_4</b>	Someone catches a burglar in his house and hits him in a way that he falls down	

**Table 6: Descriptive Statistics**

	N	Minimum	Maximum	Mean	Std. Deviation
V8_8	1101	1	5	2,83	,950
V8_11	1101	1	5	2,74	,890
V8_12	1101	1	5	2,78	,888
V11_1R	1100	1,00	5,00	2,3836	1,20437
V11_3R	1100	1,00	5,00	3,3818	1,01653
V11_2R	1099	1,00	5,00	3,4850	,96501
V12_2R	1101	1,00	5,00	2,9628	,98971
V12_3R	1100	1,00	5,00	2,4091	1,07833
V12_4	1101	1	5	2,20	,908
V13_1R	1100	1,00	5,00	3,4045	1,00995
V13_4R	1100	1,00	5,00	2,3609	,93546
V13_11R	1100	1,00	5,00	2,8655	,94820
V14_1R	1101	1,00	5,00	3,3197	,93199
V14_3R	1101	1,00	5,00	3,0336	1,13448
V14_4R	1100	1,00	5,00	3,2345	1,11385
V18_1	1101	0	4	1,40	1,117
V18_3	1101	0	4	2,35	1,100
V18_4	1101	0	5	2,87	1,061
Valid N (listwise)	1096				

**Table 7: % of the respondents by study**

<b>%</b>	<b>Studies</b>
<b>22.3</b>	Criminological sciences
<b>13.3</b>	Psychology and educational sciences
<b>10.6</b>	Humanities and arts
<b>9.5</b>	Medical science
<b>9.2</b>	Social and political sciences
<b>8.6</b>	Law
<b>7.9</b>	Economic sciences
<b>6.7</b>	Engineering
<b>3.7</b>	Science
<b>2.7</b>	Bio-engineering
<b>2.1</b>	Pharmaceutical sciences
<b>1.8</b>	other
<b>1.5</b>	Veterinary sciences
<b>100 %</b>	<b>Total respondents (N=1101)</b>

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